SCHEDULE OF LIES AND MISLEADING STATEMENTS CONTAINED IN RESPONDENTS' BRIEF IN OPPOSITION, IN COMPLIANCE WITH SUPREME COURT RULE 15.2.

1. Page i: In the middle of the second paragraph: "Petitioner who was on notice at all times of the claims against him" -- is wrong!

Petitioner had been substituted by the bankruptcy trustee on December 19, 1991 (8b-10b) as the only party defendant and the only party in interest. At no time thereafter was Petitioner re-substituted or put on notice that he was a party. He did not become aware of the judgment against him, individually, rendered against him on February 23, 1995, until a few days after it was rendered.

2. Page i: In the last 1/3rd. of the second paragraph: "Petitioner's bankruptcy case was subsequently dismissed by the Bankruptcy Court, so that the estates' assets and liabilities reverted to Petitioner, and any distinction between petitioner individually and his estate became moot" -- is a false and misleading premise.

11 U.S.C. § 349(b), as clearly stated in its Legislative History, at Pg.3, states that dismissal undoes the bankruptcy case "to restore all property rights to the position in which they were found *at the commencement of the [bankruptcy] case.*"

The bankruptcy estate, and Charles Unanue, were at all times separate and distinct entities. Upon dismissal, the bankruptcy estate ceased to exist, but Charles Unanue, who was not a party did not cease to exist, notwithstanding that the judgment against the bankruptcy estate could not revert to him, without it being so ordered by the bankruptcy

court. It was obviously for that reason that Respondents sought an additional judgment against me, individually, notwithstanding that I was in bankruptcy.. Respondents' contentious false premise that liabilities incurred in a state action, while all of my interests were in the bankruptcy estate, revert to me, without it being ordered by the bankruptcy court, is a fabrication that is intended to mislead.

3. Page ii: On the fist line: "The parties to the proceeding below were Charles Unanue,' " -- repeats the same lie!

Charles Unanue was not a party at any time after December 19, 1991, when with the consent of all parties and on order of the court, he was substituted by the bankruptcy trustee (8a-10a). Thereafter he was never a party or a party in interest.

4. Page ii, Footnote ': "The Petition's contention that Petitioner Charles Unanue "was not a party in the proceeding below" (Pet. ii) is not accurate. (*See infra*. text at 5-10, 15-18)"; is a lie because my statement is entirely accurate and their's is an effort of further deception, as follows:

5-10 accurately states that Respondents' Complaint of August 1987 raised state-law inheritance issues, and wrongly states that contract issues were also raised. Respondents, however, *hides the fact that the complaint that they refer to was filed more than 4 years before I was taken out of the case and substituted by the bankruptcy trustee on December 19, 1991, by Order of the Court, with the consent of all parties. See: 8b-10b.*

15-18 maliciously states that the Petitioner's own counsel, *on Sept. 30, 1993,* had said that Petitioner individually was "certainly a party in interest", hiding the fact that I had been without counsel in the New Jersey proceedings since September 5, 1990.

5. Page ii, on the last line: "Cardet Wholesale Foods, Inc. is Goya's only nonwholly-owned subsidiary"; is disingenuously and intentionally misleading.

The intent of the above is to support the subsequent lie that the Goya Companies, are all "wholly-owned subsidiaries of Goya", see Reply Brief at 7, which is not true because they are all "independent self-governing entities". Respondents attempt to establish that lie, because the illicit Penalty Clause in the legally non-existent 1974 Amendment, between the 11 Goya Companies and myself, is the only ground for the dual $6.9 Million judgments, which Respondents are trying hard to collect from my wife in the district court of Puerto Rico, with the astonishing and impossible allegation (and ruling, on which Motions for Reconsideration are pending), devoid of evidence or substance, that she is my *alter ego*, and therefore responsible for my debts. All of the above, combined with harassment and threats which have caused her a nervous breakdown.

Respondents problem is that the finding of the courts below, that the legally non-existent 1974 Amendment (under the laws of Puerto Rico where it was executed and performed), between the Goya Companies and myself, was valid and enforceable in New Jersey, *was made without the participation of 10 of the 11 "independent self-governing" Goya Companies, each and every one of which was an indispensable party,* without which the New Jersey judgment on the valid existence of the 1974 Amendment,

is in itself invalid. By lying or implying that the other Goya Companies are all subsidiaries of Goya, their absence in the New Jersey proceedings could possibly be overcome by "collateral estoppel".

6. Page 1 at the bottom of the 3rd. paragraph: "Petitioner excerpts...11 U.S.C.§ 349(b)(2) and (3) in an incomplete and highly misleading fashion": -- it is Respondents' statement and not mine that is "highly misleading", as explained in my Reply Brief at 3, 4.

7. Page 2 in the third paragraph: "Petitioner, through the same law firm that has represented him in this matter 1988, has filed a petition for certiorari...": -- is false, for each of the following reasons:

A. My Petition is *pro se*. B. The "same law firm" has not represented me in the proceeding since 1990. C. The only legal firm that has subsequently represented me was: McElroy, Deutsch & Mulvaney which represented me in the appeal of the judgment against me, individually, to the Appellate Division.

Respondents indulge in the strategy of repeating the same lies until they take on the patina of truth, in further obstruction of justice.

8. Page 2, starting on the last line: "Petitioner's doing so [filing two petitions for certiorari] is particularly egregious because he previously was rebuked by the Appellate Division of the New Jersey Superior Court for virtually identical misconduct in filing two separate appeals there"; is also false and misleading.

The Appellate Division accepted the two appeals, one by myself (not two as alleged) and the other by the trustee of

the bankruptcy estate, with whom I had a conflict of interest because, notwithstanding that he had certified that the $20 million Proofs of Claim of Goya and Goya de Puerto Rico, Inc. *were fraudulent,* he then, after obtaining a Porche Sports Car, at a small fraction of its market value, he, jointly with Goya, sued me in the bankruptcy court.

I never filed two appeals or petitions on the same matter. Single appeals and Petitions were filed by separate and distinct entities, which had conflicts of interest, because final and interlocutory judgments were entered against each of them, in the "cover up" and defense of the theft of all of the assets acquired by the Conjugal Partnership of my parents during its 55 years of existence and of the subsequent and continuing embezzlements and crimes, which require the expenditure of tens of millions of dollars, by Respondents, for their occlusion and defense.

9. Footnote 2, which commences on Page 2, expounds the misleading theory that by the dismissal of the bankruptcy case, the bankruptcy estate ceased to exist, which may be true, but then the money judgment was invalid, as were as interlocutory judgments, that held that my father Prudencio was domiciled in New Jersey when he died, a citizen of Puerto Rico and also invalid was the legally non-existent 1974 Amendment and all it contained, because the disputed judgments also ceased to exist.

10. Page 3 continues the argument that I had no right to file a Petition for certiorari, only because Respondents did not go to the bankruptcy court, in the 7 months prior to the dismissal, to collect the judgment against the bankruptcy estate as Respondents' Counsel of Record had said they would be required to do (Reply Brief at 3), and the bankruptcy case was dismissed because there were no creditors before it. Clearly a *non sequitur.*

The granting of the Petition for a Writ of Certiorari is, therefore, needed to defeat Respondents contention that the judgment against the bankruptcy estate survived the dismissal of the bankruptcy case and can be used, as is being done, in the district court of Puerto Rico, to attach all of the real property of my wife in Puerto Rico, the United States and Europe and collect the judgment from her, by lying to that court that Goya had previously owned all of the properties and, thereby, obtaining the ridiculous finding that she is my *alter ego*, notwithstanding that it is undisputable that she is a highly educated and intelligent individual, that definitely has a mind of her own.

Note: I hereby certify that in the subsequent 18 pages, the falsehoods, lies, misrepresentations and misleading statements, continue at about the same pace in Respondents' Briefs in Opposition to both my Petition and that of the bankruptcy estate.

Inasmuch as Supreme Court Rule 15.2 requires that I inform that High Court of all "perceived misstatements", I will continue this exercise and bring it to completion, immediately upon being advised that the Court wishes me to do so.